

MANDATE
United States Court of Appeals
For the First Circuit

04-10283

USDC MA

Judge Zebal

No. 07-1613

GERALD MALONE,
Petitioner, Appellant,

v.

HAROLD W. CLARKE,*
COMMISSIONER, MASSACHUSETTS DEPARTMENT OF CORRECTIONS,
Respondent, Appellee.

JUDGMENT


Entered: August 1, 2008

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The district court's denial of Gerald Malone's habeas petition is affirmed.

Entered and Issued as Mandate
under Fed. R. App. P. 41.

Richard Cushing Donovan, Clerk


Deputy Clerk

By the Court:

/s/ Richard Cushing Donovan, Clerk

Date: 8/27/08

cc: Eva Badway and Derege Demissie.

* Pursuant to Fed. R. App. P. 43(c)(2), Harold W. Clarke has been substituted for his predecessor Kathleen M. Dennehy, as Commissioner of the Massachusetts Department of Corrections.